


Below is an order of the court.

  
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF OREGON

In re:

FRED LEROY ALLMAN,  
as consolidated with the non-debtor  
entities Kimberly A. Allman; Avalon  
Farms, LLC; Avalon Investment Group,  
LLC; Avalon Communications Group,  
LLC; Avalon Consulting Group, LLC; and  
KAA, LLC,

Debtor.

RONALD WAYNE BERKEY d.b.a. RON  
BERKEY CONSTRUCTION,

Plaintiff,

v.

FRED LEROY ALLMAN,

Defendant.

Case No. 08-31282-elp7

Chapter 7

Adv. Proc. No. 08-03114-elp

ORDER OF DISMISSAL

1 This matter, having come before the Court on Plaintiff's Motion for Order of  
2 Dismissal, the Court having reviewed all written submissions on such Motion:

3 IT IS HEREBY ORDERED that Plaintiff's Motion for Order of Dismissal is  
4 GRANTED because this proceeding is now moot after the US Trustee's *objection to* *emb*  
5 ~~Dischargeability~~ Adversary Proceeding Complaint (Case No. 08-3115) was granted;  
6 and

7 IT IS FURTHER ORDERED that Plaintiff may refile its Complaint should any  
8 appeal be granted in whole or in part.

9 ###

10  
11 Presented by:  
12 COBB & BOSSÉ, LLP

13 /s/ Eric M. Bossé  
14 Eric M. Bossé, OSB #87026  
15 Of Attorneys for Creditors Ronald Wayne  
16 Berkey d.b.a. Ron Berkey Construction  
17 and Crosland Earthworks of Oregon, Inc.  
18 Cobb & Bossé, LLP  
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20 c: Fred LeRoy Allman  
21 Eric M. Bossé emb@cobbandbosse.com, info@cobbandbosse.com  
Montgomery W. Cobb mwc@cobbandbosse.com, info@cobbandbosse.com

**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing (PROPOSED) ORDER OF  
DISMISSAL on the following parties as noted below:

**MANUAL NOTICE LIST**

The following parties are not on the list to receive e-mail notice/ service for this  
case.

A copy was mailed to the Defendant/ Debtor at the last known addresses shown  
below by depositing a first class postage prepaid envelope in the mail at Newberg,  
Oregon on June 22, 2009:

Fred Leroy Allman  
PO Box 5366  
Portland, OR 97228  
(Debtor)

Dated this 22<sup>nd</sup> day of June, 2009.

**COBB & BOSSÉ, LLP**

By: /S/ Eric M. Bossé  
Eric M. Bossé, OSB #87026  
Of Attorneys for Plaintiff/ Creditor  
Ronald Wayne Berkey d.b.a. Ron  
Berkey Construction